

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 1287**  
92ND GENERAL ASSEMBLY

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Reported from the Committee on Financial and Governmental Organization, Veteran's Affairs and Elections, March 15, 2004, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

4714S.02C

TERRY L. SPIELER, Secretary.

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**AN ACT**

To repeal section 105.267, RSMo, and to enact in lieu thereof one new section relating to public officers and employees.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 105.267, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 105.267, to read as follows:

105.267. 1. Except as otherwise provided in this subsection, any employee of an agency of the state of Missouri, who has been certified by the American Red Cross **or certified by a volunteer organization with a disaster service commitment recognized by the state emergency management agency** as a disaster service volunteer, may be granted leave from work with pay to participate in specialized disaster relief services for the American Red Cross **or such volunteer organization**, not to exceed a total of twenty-five full-time equivalent state employees for a total of one hundred twenty work hours in any fiscal year for each full-time equivalent employee. The employee shall be released from work to participate in specialized disaster relief services upon request from an authorized representative of the American Red Cross **or such volunteer organization** for such employee and upon the approval of such employee's appointing authority. The appointing authority shall compensate an employee granted leave pursuant to this section at the employee's regular rate of pay for regular work hours during which the employee is absent from the employee's regular place of employment for the state of Missouri. Any leave granted pursuant to this section shall not affect the employee's leave status.

2. Before any payment of salary is made covering the period of the leave, the authorized representative of the American Red Cross **or such volunteer organization, pursuant to subsection 1 of this section**, shall file with the appointing authority or supervising agency evidence that such employee participated in specialized disaster relief services during the time such leave pay is granted.

3. No certified disaster service volunteer shall be discharged from employment because of such person's status as a certified disaster service volunteer nor shall such employee be discriminated against or dissuaded from volunteering or continuing such service as a certified disaster relief volunteer. For the purposes of this section, the term "certified disaster volunteer" means a person who has completed the necessary training for, and has been certified as, a disaster service specialist by the American Red Cross **or such volunteer organization, pursuant to subsection 1 of this section.**

4. Upon written order of the governor, additional employees, not to exceed twenty-five full-time equivalent state employees, may be granted leave pursuant to this section to participate in specialized disaster relief services for disasters occurring within this state.

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